

REGULAR COUNCIL MEETING  
November 11, 2019

Members Present: Douglas Baker, Mayor  
Michael Dulaney  
Donna Fletcher, Deputy Mayor  
James Johnson  
Samuel Lyons  
Fred Mays  
Ryan Rudegeair

Members Excused: None.

In Attendance: James Wetzel, Deputy City Manager  
Brian Spaid, Esq., City Solicitor  
Kevin Anundson, Chief of Police  
Deb Eckelberger, Franklin Development Director  
Sheila Boughner, Community Development Coordinator  
Harmony Motter, Finance Director  
Darla Hawke, Recording Secretary  
Tim Dunkle, Venango County Emergency Management Agency  
Jeff & Gina Shuffstall, 1149 Liberty Street  
Jeff Hawke  
Sarah Titley, Venango Newspapers, Inc.  
Chris Rossetti, Explore Venango

Mayor Baker called the meeting to order at 7:03 PM.

**ADOPTION OF AGENDA - Resolution No. 139**

Mr. Dulaney asked that Item #8, "Franklin Chamber of Commerce Presentation" be removed from the agenda. Mrs. Fletcher moved to approve the agenda, as amended. Mr. Johnson seconded the motion, which passed unanimously.

**APPROVAL OF MINUTES - Resolution No. 140**

Mr. Dulaney moved to approve the minutes of the regular meeting of October 7, 2019, as presented. Mr. Lyons seconded the motion, which passed unanimously.

**PAY THE BILLS - Resolution No. 141**

Mr. Johnson moved to pay the bills as presented. Mr. Mays seconded the motion, which passed unanimously.

**CITIZENS' INQUIRIES**

Mr. Dunkle was in attendance to present Mayor Baker with a certificate for completing basic certification as Franklin's Emergency Management Coordinator.

**CERTIFICATES OF APPROPRIATENESS**

**Resolution No. 142** - Mr. Dulaney moved and Mr. Rudegear seconded a motion to issue a Certificate of Appropriateness for the placement of two gargoyles at 1149 Liberty Street, as presented, and to issue a Certificate of Appropriateness for exterior paint colors at 1215A & 1215B Liberty Street, as presented. Motion passed unanimously.

**CDBG PROGRAM - FY 2019 CDBG PROGRAM FINAL APPROVAL - Resolution No. 143**

Mrs. Boughner requested Council approve the following projects for submission in the FY-2019 CDBG Application:

- Street Improvements: Milling and Paving
  - 1300 block of Buffalo Street..... 45,460
  - 14<sup>th</sup> Street, Liberty to Elk..... 20,645
  - Elk Street, South Park to Eleventh ..... 40,040
  - Ninth Street, Liberty to Buffalo. .... 22,855
  - Eagle Street, Twelfth to Fifteenth. .... 77,890
  - Associated Costs (pavement markings, etc.)..... 3,100
  - Sub-total for Streets **\$210,000**
- Clearance & Demotion (locations to be determined)..... 34,775
- Sub-total for Projects **\$244,775**
- Administration (18%)..... 53,730
- TOTAL \$298,505**

Mrs. Fletcher moved and Mr. Lyons seconded a motion to approve the FY-2019 Community Development Block Grant application as proposed. Motion passed unanimously.

**CDBG PROGRAM - FY 2016 RECOMMENDED BUDGETARY REVISIONS - Resolution No. 144**

Ms. Boughner reported that the following budget revisions are necessary to complete the remaining project under the city's FY-2016 CDBG Program:

- \$1,101.29 from Street Improvements (Franklin Avenue and Otter) into Clearance and Demolition.
- \$6,779.48 from Accessibility Improvements to City Hall into Clearance and Demolition.

Mr. Rudegear so moved. Mr. Mays seconded the motion, which passed unanimously.

**AWARD ANTI-SKID QUOTE - Resolution No. 145**

In a memo from Mrs. Jamieson she reported that letters were sent to three companies requesting price per ton on state-approved AS1 anti-skid material delivered to the City garage for the City's 2019-2020 winter season and to provide a copy of the testing report passing their anti-skid material. She recommended going with the low bidder, Cooperstown Sand and Gravel Company, with state-approved AS1 anti-skid for \$8.75 per ton delivered. Mr. Mays so moved. Mr. Rudegear seconded the motion, which passed unanimously.

**AWARD TAX ANTICIPATION NOTE - Resolution No. 146**

Chief Wetzel reported that bids were received for the City's 2020 Tax Anticipation Note in the amount of \$450,000 for a period of six months. It was Mrs. Jamieson's recommendation the award be made to the low bidder, First United National Bank, which submitted a bid with an interest rate of 1.5%. Mr. Johnson so moved. Mr. Rudegear seconded the motion, which passed unanimously.

**RESOLUTION TO ACCEPT FRANKLIN LIBRARY GRANT - Resolution No. 147**

The City of Franklin was recently notified of a grant award, in the amount of \$75,672, to replace the roof of the Franklin Public Library from the Commonwealth of PA, Department of Education, Keystone Recreation, Park & Conservation Fund. If the City agrees to accept these funds, it will require the City to assist the library in administering the project and properly executing the public bidding process. Mrs. Jamieson recommended accepting the grant on behalf of the Franklin Public Library and the Oil Region Library Association. Mr. Rudegear so moved. Mr. Lyons seconded the motion, which passed unanimously.

**FIRST READING - BILL NO. 11 - BUDGET - Resolution No. 148**

Mr. Spaid read Bill No. 11, "Budget," in its entirety, into the record. Mr. Johnson moved and Mr. Lyons seconded a motion to approve, Bill No. 11, "Budget," on First Reading. Mr. Rudegear voiced his concern that, although it means no tax increase, the City is still down an officer. Motion passed unanimously.

**FIRST READING - BILL NO. 12 - REAL ESTATE TAX - Resolution No. 149**

Mr. Spaid read Bill No. 12, "Real Estate Tax," in its entirety, into the record. Mr. Lyons moved and Mr. Rudegear seconded a motion to approve, Bill No. 12, "Real Estate Tax," on First Reading. Motion passed unanimously.

**FIRST READING - BILL NO. 13 - EARNED INCOME TAX - Resolution No. 150**

Mr. Spaid read Bill No. 13, "Earned Income Tax," in its entirety, into the record. Mr. Rudegear moved and Mr. Dulaney seconded a motion to approve Bill No. 13, "Earned Income Tax," on First Reading. Motion passed unanimously.

**ESTABLISH BUDGET PUBLIC HEARING - Resolution No. 151**

Mr. Rudegear moved to hold the required public hearing on the budget at 7 PM on Monday, December 2, 2019, prior to Council's regular monthly meeting. Mr. Lyons seconded the motion, which passed unanimously.

**FIRST READING - BILL NO. 14 - FEE SCHEDULE UPDATE - Resolution No. 152**

In a memo, Mrs. Jamieson reported that the City has not updated its fee schedule since 2017. She noted that the fee increases proposed were based on a review of the time, materials, and costs necessary to provide the service. A cursory comparison was made of fees of other municipalities with some higher, some lower, and in some cases, the differences were incomparable. In any event, she advised the proposed fees are not unreasonable and that the increases would help to cover the City's costs. Mr. Johnson moved to approve Bill No. 14, "Fee

Schedule Update,” on First Reading. Mrs. Fletcher seconded the motion, which passed unanimously. There were some concerns voiced over a couple of sizeable rate increases that were applied all at once rather than phased in over time.

**PARADE & PARK REQUESTS** - none.

**REPORTS**

**Deputy Manager**

- **Update on the Conduit License Agreement previously approved by City Council:** Reported that Lumos Networks, which had contacted the City regarding the possibility of sharing space in one of the conduits that run under the 13<sup>th</sup> Street Bridge, is no longer interested in pursuing that agreement at this time as the cellular carrier they were working with has shelved its expansion plans for now. Lumos indicated that if it finds another carrier interested in building out its network, it will get back in touch with the City.
- **Update on 12<sup>th</sup> & Liberty Streets Intersection Study:** It is anticipated that the engineering consultant that is currently studying this intersection for PennDOT will be holding a public forum on the four (4) alternatives that they have put together. It is important that the Council and stakeholders (downtown businesses, Central Elementary, etc.) be aware of what’s being proposed so they can voice their thoughts.
- **Silver Cornet Band Request:** The band has ordered new chairs and plans to replace the carpet in its space upstairs and has requested financial assistance from the City. It was Mrs. Jamieson’s recommendation that, as long as the Finance Director feels it’s doable, the City allocate \$1,000 toward the replacement of the carpet. Council indicated it would like more information from Mrs. Jamieson prior to making a decision on this matter.
- **The Vantage Building,** located at the corner of 13<sup>th</sup> & Liberty Streets, is looking to install a handicapped ramp into their building at the door closest to the intersection of 13<sup>th</sup> Street. This will necessitate: a Highway Occupancy Permit from PennDOT, since it is in their right of way; and approval from HARB on the construction. In addition, since there is an open vault area underneath the sidewalk in that location, it is important for the City Engineer to review how it would be constructed so that there are no problems with the integrity of that sidewalk area. (Mrs. Jamieson had reminded Council to keep in mind that the City just completed the replacement of that entire corner under a Multi-modal grant and had to pay \$11,000 of City funds toward some vault improvements associated with the project.)
- Will need an executive session to discuss possible litigation

**Solicitor**

- Reported the County requested a Zoning Opinion on the Salvation Army building. The County has purchased the building and scaled back the number of apartments and limited its use in order to adhere to the present zoning district regulations.
- Will need an executive session to discuss possible litigation.

**Mayor • Appointments** - none.

**COUNCIL REPORTS**

**Mayor Baker**

- Commended City staff on the hard work it took to balance the 2020 budget.
- Also noted that he would like to see the Police force restored in the future.

**Mr. Johnson**

- Paid respect to all veterans.

**Mr. Dulaney**

- **Resolution No. 153** - Read a letter of resignation effective December 31, 2019. Mayor Baker moved and Mr. Rudegear seconded a motion to accept the letter of resignation from Mr. Dulaney, effective December 31, 2019. Motion passed 6-0, with Mr. Dulaney abstaining from the vote. Mr. Spaid noted that Council would have 45 days from the effective date to fill the unexpired term of two years. This will be an “at-large” term, which means anyone from any district of the City may apply. This matter will be discussed further at the December meeting.

**Mr. Rudegear**

- Mr. Rudegear had received a complaint from a constituent on the noise the Child Development Center (CDC) buses were making and asked whether or not there was a time limit on when large vehicles could drive through neighborhoods. Mr. Spaid informed him that there were no such restrictions.

**Mrs. Fletcher**

- Mrs. Fletcher had received complaints concerning the number of dogs that were in the downtown parks during Applefest® and asked if a restriction could be placed on them during this festival. Mr. Spaid noted that, since the ordinance was passed allowing dogs in the parks, there is nothing the City can do.
- Mrs. Fletcher reported that a black Tesla has been parking all day in the 1200 block of Liberty Street and asked the Police Chief if something could be done. Chief Anundson informed her that the meter enforcement officer had taken a job with a different company and was only working two days a week. The department hired one of the dispatchers to replace him, but he is currently in training.

**Mr. Lyons**

- Also thanked City staff for the balancing the budget with no tax increase.

**Mr. Mays** - no report.

**EXECUTIVE SESSION - Resolution No. 154**

Mayor Baker moved to enter into executive session at 7:58 PM to discuss possible litigation. Mr. Rudegear seconded the motion, which passed unanimously. The executive session ended at 8:39 PM.

**ANY OTHER BUSINESS** - none.

**ADJOURNMENT**

There being no further business to come before the Council at this time, the meeting was adjourned at 8:39 PM.

Respectfully submitted,

Darla Hawke, Recording Secretary